

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JESSICA ZWEIMAN, Executrix of the Estate
of Anne Zweiman, on behalf of herself and all :
others similarly situated,

Plaintiff,

v.

AXA EQUITABLE LIFE INSURANCE
COMPANY,

Defendant.

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No. 14-cv-5012 (VSB)(DCF)

ECF CASE

Electronically Filed

**NOTICE OF MOTION TO DISMISS THE COMPLAINT AS PRECLUDED
BY THE SECURITIES LITIGATION UNIFORM STANDARDS ACT**

PLEASE TAKE NOTICE that, upon the Complaint in the above-captioned action dated June 19, 2014; the accompanying Memorandum Of Law of AXA Equitable Life Insurance Company (A) In Support Of Its Motion To Dismiss And (B) In Opposition To Plaintiff's Motion To Remand, dated September 5, 2014; the accompanying Declaration Of Kurt Wm. Hemr dated September 5, 2014 and exhibits thereto; the direction of this Court at a pre-motion conference on August 6, 2014; and upon all prior pleadings and proceedings herein, Defendant AXA Equitable Life Insurance Company, by and through its undersigned counsel, will move this Court, before the Honorable Vernon S. Broderick at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York, 10007, on a date and at a time designated by the Court, for an Order: (a) pursuant to the Securities Litigation Uniform Standards Act, 15 U.S.C.

§ 78bb(f)(1), dismissing the Complaint with prejudice; and (b) for such other and further relief as this Court may deem just and proper.

Dated: New York, New York
September 5, 2014

Respectfully submitted,

/s/ Jay B. Kasner

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